MM 94-92

# FEDERAL COMMUNICATIONS COMMISSION

CLASS OF STATION FM

FAITH

The following application is submitted for action by the Chief, Broadcast Bureau.

| ST | FILE NUMBER | CALL | APPLICANT AND LOCATION | NATURE OF APPLICATION |
|---|---|---|---|---|
| FL | BPED -930413MA N/M | NEW 90.9MHZ | MARION COMMUNITY RADIO, INC. CRYSTAL RIVER FL | CP FOR NEW EDUCATIONAL ON: FREQ: 90.9 MHZ., ERP: 3.0 KW H&V, HAAT: 101 METERS H&V 29 01 52 82 27 05 |

LICENSE EXPIRATION DATE P.U. 4-23-93

for Faith Hodge
CHIEF, LICENSE DIVISION

RECOMMENDATION: GRANT( ) CONSTRUCTION DATES, START _____ END _____

CONTESTED ( ) UNCONTESTED ( )

APPROVED _____

_____
FOR CHIEF, BROADCAST BUREAU

F.C.C.-WASHINGTON, D.C.

Form A-378
January 1980

ORIGINAL

original

STEPHEN C. SIMPSON
ATTORNEY AT LAW

1090 Vermont Avenue, N.W.
Suite 800
Washington, D.C. 20005
Telephone: (202) 408-7035
Telecopier: (202) 408-1590

Admitted in MA

APR 14 3 25 PM '93

AUDIO SERVICES DIVISION

RECEIVED

APR 13 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

April 13, 1993

MM 94-92

Ms. Donna R. Searcy
Secretary
Federal Communications Commission
Room 222
1919 M Street, N.W.
Washington, D.C. 20554

Dear Ms. Searcy:

Transmitted herewith, in triplicate, on behalf of Marion Community Radio, Inc. is an FCC Form 340 application seeking authority to construct a new noncommercial FM station on Channel 215 at Crystal River, Florida. As reflected in the engineering portion of the subject 340 application, this filing is mutually-exclusive with an application filed by the "Board of Regents, State of Florida, Acting for and on Behalf of the University of Florida" (hereinafter referred to as the "University of Florida") seeking authority to construct a new noncommercial FM station on Channel 215 at Crystal River, Florida. The application of the University of Florida was placed on "cut-off" on March 11, 1993 (See Public Notice #32130). The subject application of Marion Community Radio, Inc. is being submitted by the April 14, 1993 "cut-off" date specified in Public Notice #32130.

Marion Community Radio, Inc. is a recognized noncommercial, educational FCC licensee filing for a noncommercial channel. Consequently, no filing fee is required and none is tendered.

Should you have any questions concerning this matter, please contact the undersigned.

Very truly yours,

Stephen C Simpson

Stephen C. Simpson

FM EXAMINERS

APR 15 2 45 PM '93

RECEIVED

FM H
4-16-93

Federal Communications Commission
Washington, D. C. 20554

# FCC 340

Approved by OMB
3060-0034
Expires 11/30/94
See Page 23 for information regarding public burden estimate

## APPLICATION FOR CONSTRUCTION PERMIT FOR NONCOMMERCIAL EDUCATIONAL BROADCAST STATION

(Carefully read instructions before filing form) Return only form to FCC

RECEIVED

APR 14 3 25 PM '93

MUDIA SERVICES DIVISION

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

APR 13 1993

For Commission Use Only
File No. BPED-930413MA

## Section I - GENERAL INFORMATION

| 1. Name of Applicant | | | Send notices and communications to the following person at the address below: | | |
|---|---|---|---|---|---|
| Marion Community Radio, Inc. | | | Name: Stephen C. Simpson, Attorney at Law | | |
| Street Address or P.O. Box: 814 Northeast 2nd Street | | | Street Address or P.O. Box: 1090 Vermont Avenue, N.W. #800 | | |
| City: Ocala | State: FL | ZIP Code: 34470 | City: Washington | State: D.C. | ZIP Code: 20005 |
| Telephone No. (Include Area Code): (904) 351-8810 | | | Telephone No. (Include Area Code): (202) 408-7035 | | |

2. This application is for: ☐ AM ☒ FM ☐ TV

| (a) Channel No. or Frequency | (b) Principal Community | City | State |
|---|---|---|---|
| 215 | | Crystal River | FL |

(c) Check one of the following boxes:

☒ Application for **NEW** station

☐ **MAJOR** change in licensed facilities; call sign: _____

☐ **MINOR** change in licensed facilities; call sign: _____

☐ **MAJOR** modification of construction permit; call sign: _____

File No. of construction permit: _____

☐ **MINOR** modification of construction permit; call sign: _____

File No. of construction permit: _____

☐ **AMENDMENT** to pending application; application file number: _____

**NOTE:** It is not necessary to use this form to amend a previously filed application. Should you do so, however, please submit only Section I and those other portions of the form that contain the amended information.

3. Is this application mutually exclusive with a renewal application? ☐ Yes ☒ No

| If Yes, state: | Call letters | Community of License: City | Community of License: State |
|---|---|---|---|
| | | | |

90.9MHZ
BPED -930413MA NEW
CRYSTAL RIVER FL
MARION COMMUNITY RADIO, INC.

## Section II - LEGAL QUALIFICATIONS

Name of Applicant

Marion Community Radio, Inc.

1. Applicant is: *(Check one box below)*

☐ (a) governmental or public educational agency, board or institution

☐ (b) private nonprofit educational institution

☒ (c) Other *(specify)*

2. For applicants 1(c) only, describe in an Exhibit the nature and educational purposes of the applicant. — Exhibit No. 1

3. For applicants 1(c) applying for a new noncommercial educational television station only, describe in an Exhibit how the applicant's officers, directors and members of its governing board are broadly representative of the educational, cultural and civic segments of the principal community to be served. — Exhibit No. N/A

4. Describe in an Exhibit how the proposed station will be used, in accordance with 47 C.F.R. Section 73.503 or Section 73.621, for the advancement of an educational program. — Exhibit No. 2

5. Is there any provision contained in any by-laws, articles of incorporation, partnership agreement, charter, statute or other document which would restrict the applicant in advancing an educational program or complying with any Commission rule, policy or provision of the Communications Act of 1934, as amended? — ☐ Yes ☒ No

If Yes, provide particulars in an Exhibit. — Exhibit No. N/A

### CITIZENSHIP AND OTHER STATUTORY REQUIREMENTS

6. (a) Is the applicant in violation of the provisions of Section 310 of the Communications Act of 1934, as amended, relating to interests of aliens and foreign governments? (See Instruction B to Section II.) — ☐ Yes ☒ No

(b) Will any funds, credits or other financial assistance for the construction, purchase or operation of the station(s) be provided by aliens, foreign entities, domestic entities controlled by aliens, or their agents? — ☐ Yes ☒ No

If the answer to (b) above is Yes, attach an Exhibit giving full disclosure concerning this assistance. — Exhibit No. N/A

7. (a) Has an adverse finding been made or an adverse final action taken by any court or administrative body with respect to the applicant or parties to the application in a civil or criminal proceeding, brought under the provisions of any law related to the following: any felony; mass media related antitrust or unfair competition; fraudulent statements to another governmental unit; or discrimination? — ☐ Yes ☒ No

(b) Is there now pending in any court or administrative body any proceeding involving any of the matters referred to in (a) above? — ☐ Yes ☒ No

If the answer to (a) and/or (b) above is Yes, attach as an Exhibit a full disclosure of the persons and matters involved, including an identification of the court or administrative body and the proceeding (by dates and file numbers), a statement of the facts upon which the proceeding is or was based or the nature of the offense alleged or committed, and a description of the current status or disposition of the matter. Where the requisite information has been earlier disclosed in connection with another application or as required by 47 U.S.C. Section 1.65(c) in the case of adjudicated proceedings, the applicant need only provide: (i) an identification of that previous submission by reference to the file number in the case of an application, the call letters of the station regarding which the application or Section 1.65 information was filed, and the date of filing; and (ii) a description of the current status or disposition of the previously reported matter. — Exhibit No. N/A

## PARTIES TO APPLICATION

8. Complete the following Table with respect to all parties to this application:

(NOTE: If the applicant considers that to furnish complete information would pose an unreasonable burden, it may request that the Commission waive the strict terms of this requirement with appropriate justification.)

**INSTRUCTIONS: If applicant is a corporation or an unincorporated association with 50 or fewer stockholders, stock subscribers, holders of membership certificates or other ownership interests,** fill out all columns, giving the information requested as to all officers, directors and members of governing board. In addition, give the information as to all persons or entities who are the beneficial or record owners of or have the right to vote capital stock, membership or ownership interests or are subscribers to such interests. **If the applicant has more than 50 stockholders, stock subscribers or holders of membership certificates or other ownership interests,** furnish the information as to officers, directors, members of governing board, and all persons or entities who are the beneficial or record owners of or have the right to vote 1% or more of the capital stock, membership or ownership interests. **If applicant is a governmental or public educational agency, board or institution,** fill out columns (a), (b), and (c) as to all members of the governing board and chief executive officers.

| Name and Residence Address(es) | Office Held | Director or Member of Governing Board | | % of: Ownership (O) or Voting Stock (VS) or Membership (M) |
|---|---|---|---|---|
| | | YES | NO | |
| (a) | (b) | (c) | | (d) |
| Brad Dinkins<br>2881 SE 31st Street<br>Ocala, Florida 34471 | President | X | | |
| Carlyle Ausley<br>721 SE 52nd Court<br>Ocala, Florida 34470 | Vice-President | X | | |
| Joe Brannon<br>1911 NE 50th Avenue<br>Ocala, Florida 34470 | Treasurer | X | | |
| Edward d'Avi<br>4151 SE 22nd Avenue<br>Ocala, Florida 34471 | Secretary | X | | |

9. Does the applicant, or any party to the application, have a petition to migrate to the expanded band (1605-1705 kHz) or a permit or license either in the existing band or expanded band that is held in combination with the AM facility proposed to be modified herein? ☐ Yes ☒ No

If Yes, provide particulars as an Exhibit. Exhibit No. N/A

10. Does the applicant or any party to this application have, or have they had, any interest in:

(a) a broadcast station, or pending broadcast station application before the Commission? ☒ Yes ☐ No

(b) a broadcast application which has been dismissed with prejudice by the Commission? ☐ Yes ☒ No

(c) a broadcast application which has been denied by the Commission? ☐ Yes ☒ No

(d) a broadcast station, the license of which has been revoked? ☐ Yes ☒ No

(e) a broadcast application in any pending or concluded Commission proceeding which left unresolved character issues against the applicant? ☐ Yes ☒ No

If the answer to any of the questions in (a)-(e) above is Yes, state in an Exhibit the following information: Exhibit No. 3

(1) Name of party having interest;
(2) Nature of interest or connection, giving dates;
(3) Call letters of stations or file number of application or docket; and
(4) Location.

## SECTION III - FINANCIAL QUALIFICATIONS

Note: If this application is for a change in an operating facility, DO NOT fill out this Section.

1. Is this application contingent upon receipt of a grant from the National Telecommunications and Information Administration? ☐ Yes ☒ No

2. Is this application contingent upon receipt of a grant from a charitable organization, the approval of the budget of a school or university, or an appropriation from a state, county, municipality or other political subdivision? ☐ Yes ☒ No

NOTE: If either Questions 1 or 2 is answered "Yes," your application cannot be granted until all of the necessary funds are committed or appropriated. In the case of grants from the National Telecommunications and Information Administration, no further action on your part is required. If you rely on funds from a source specified in Question 2, you must advise the F.C.C. when the funds are committed or appropriated. This should be accomplished by letter amendment to your application, in triplicate, signed in the same manner as the original application, and clearly identifying the application to be amended.

3. The applicant certifies, except as noted above, that sufficient net liquid assets are on hand or that sufficient funds are available from committed sources to construct and operate the requested facilities for three months without additional funds. ☒ Yes ☐ No

## SECTION IV - PROGRAM SERVICE STATEMENT

Attach as an Exhibit, a brief description, in narrative form, of the planned programming service relating to the issues of public concern facing the proposed service area. Exhibit No. 4

NOTE: No program service statement need be filed where the proposed station's programming would be wholly "instructional" as that type of programming is defined in the Instructions to this Section.

## SECTION VI – EQUAL EMPLOYMENT OPPORTUNITY PROGRAM

1. Does the applicant propose to employ five or more full-time employees? ☐ Yes ☒ No

If Yes, the applicant must include an EEO program called for in the separate Broadcast Equal Employment Opportunity Program Report (FCC 396-A).

## SECTION VII – CERTIFICATION

1. Has or will the applicant comply with the public notice requirements of 47 C.F.R. Section 73.3580? ☒ Yes ☐ No

2. By checking Yes, the applicant certifies that, in the case of an individual applicant, he or she is not subject to a denial of federal benefits that includes FCC benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. 862, or, in the case of a non-individual applicant (e.g., corporation, partnership or other unincorporated association), no party to the application is subject to a denial of federal benefits that includes FCC benefits pursuant to that section. For the definition of a "party" for these purposes, see 47 C.F.R. Section 1.2002(b). ☒ Yes ☐ No

The APPLICANT hereby waives any claim to the use of any particular frequency as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application. *(See Section 304 of the Communications Act of 1934, as amended.)*

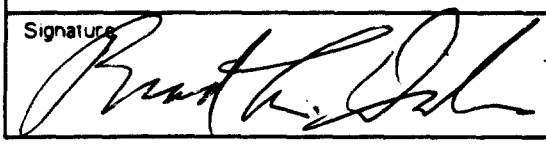
The APPLICANT acknowledges that all the statements made in this application and attached exhibits are considered material representations, and that all exhibits are a material part hereof and incorporated herein.

The APPLICANT represents that this application is not filed for the purpose of impeding, obstructing, or delaying determination on any other application with which it may be in conflict.

In accordance with 47 C.F.R. Section 1.65, the APPLICANT has a continuing obligation to advise the Commission, through amendments, of any substantial and significant changes in information furnished.

**WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001), AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. CODE, TITLE 47, SECTION 312(a)(1)), AND/OR FORFEITURE (U.S. CODE, TITLE 47, SECTION 503).**

I certify that the statements in this application are true and correct to the best of my knowledge and belief, and are made in good faith.

| Name of Applicant | Title |
|---|---|
| Marion Community Radio, Inc. | President |
| Signature  | Date<br>April 12, 1993 |

### FCC NOTICE TO INDIVIDUALS REQUIRED BY THE PRIVACY ACT AND THE PAPERWORK REDUCTION ACT

The solicitation of personal information requested in this application is authorized by the Communications Act of 1934, as amended. The Commission will use the information provided in this form to determine whether grant of this application is in the public interest. In reaching that determination, or for law enforcement purposes, it may be necessary to refer personal information contained in this form to another government agency. In addition, all information provided in this form will be available for public inspection. If information requested on the form is not provided, processing of the application may be delayed or the application may be returned without action pursuant to the Commission's rules. Your response is required to obtain the requested authority.

Public reporting burden for this collection of information is estimated to vary from 78 to 302 hours 20 minutes with an average of 171 hours 36 minutes per response. These estimates includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, can be sent to the Federal Communications Commission, Information Resources Branch, Room 416, Paperwork Reduction Project, Washington, D.C. 20554, and to the Office of Management and Budget, Paperwork Reduction Project (3060-0034), Washington, D.C. 20503.

**THE FOREGOING NOTICE IS REQUIRED BY THE PRIVACY ACT OF 1974, P.L. 93-579, DECEMBER 31, 1974, 5 U.S.C. 552a(e)(3), AND THE PAPERWORK REDUCTION ACT OF 1980, P.L. 96-511, DECEMBER 11, 1980, 44 U.S.C. 3507.**

Marion Community Radio, Inc.
FCC Form 340
April 13, 1993
Exhibit 1

Marion Community Radio, Inc. is a non-profit corporation organized under the Laws of the State of Florida by virtue of Articles of Incorporation filed with the Department of State (State of Florida) on December 21, 1987. The "document number" for this corporation is N24014.

Marion Community Radio, Inc. is also a recognized noncommercial FCC licensee. Marion Community Radio, Inc. is currently the licensee of noncommercial station WHIJ (FM), Ocala, Florida.

As delineated in its Articles of Incorporation, Marion Community Radio, Inc.'s purpose is to promote the educational, charitable and literary goals of the communities in which its broadcast signal is received. Consistent with Article VII of its Articles of Incorporation, the purpose for which Marion Community Radio, Inc. is organized is exclusively charitable, scientific, literary and educational within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1954, or the corresponding provision of any future U.S. Internal Revenue Law.

Marion Community Radio, Inc. has received I.R.S. confirmation of its status as a tax-exempt, non-profit organization under Section 501(c)(3) of the I.R.S. Code.

Marion Community Radio, Inc.
FCC Form 340
April 13, 1993
Exhibit 2

Consistent with Section 73.503 of the Commission's Rules and Regulations, the proposed station will be used for the advancement of an educational program. The proposed station shall furnish a nonprofit and noncommercial broadcast service.

As reflected in Exhibit 1 hereto, Marion Community Radio, Inc. is a non-profit corporation organized under the Laws of the State of Florida, a recognized noncommercial FCC licensee and an I.R.S. approved non-profit, educational organization.

Marion Community Radio, Inc. intends to use the experience and knowledge gleaned from its current operation of noncommercial station WHIJ (FM), Ocala, Florida in establishing a new noncommercial FM station at Crystal River, Florida.

With so many complex and compelling issues confronting the nation generally and the local citizenry specifically, Marion Community Radio, Inc. intends to use the proposed FM station as a vehicle through which the local needs and concerns are identified and addressed. Through close coordination with local civic, educational, governmental and charitable organizations, Marion Community Radio, Inc. shall ensure the full exploration and fulfillment of human diversity (EEO), human development and program and institutional diversity goals.

Marion Community Radio, Inc. is currently very active in civic/community affairs and anticipates maintaining a high level of community interaction and involvement. Through public affairs programming and other community-based programming, Marion Community Radio, Inc. intends to address the concerns of the local citizenry. With ongoing ascertainment efforts, the proposed station shall identify various community needs and will supply programming to meet those perceived needs.

Marion Community Radio, Inc.
FCC Form 340
April 13, 1993
Exhibit 3

Marion Community Radio, Inc. currently has pending before the FCC a major change application with respect to its FM translator, W208AJ, seeking to increase its effective radiated power.

Marion Community Radio, Inc.
FCC Form 340
April 13, 1993
Exhibit 4

Marion Community Radio, Inc. intends to engage in ongoing ascertainment of the community's needs and concerns, including the identification of key issues confronting the community. Specifically, Marion Community Radio, Inc. intends to use its experience operating a noncommercial facility to fashion responsive programming.

Marion Community Radio, Inc. anticipates that some of the major community issues to be addressed will include crime, health care, poverty, substance abuse, race relations, male/female relations, domestic violence, education and unemployment. Marion Community Radio, Inc. intends to offer some network programming such as Focus on the Family, while at the same time working within the community to produce and air educational programs, public service announcements, announcements for local noncommercial and educational events and other similar local community programming.

Marion Community Radio, Inc. intends to be a high profile extension of the community and an outlet through which local civic, educational, governmental and charitable organizations shall be able to convey messages of hope and encouragement for the community.

Marion Community Radio, Inc.
FCC Form 340
April 13, 1993
Exhibit 5

Marion Community Radio, Inc., by virtue of its general certification found on Page 23 of the subject FCC Form 340, hereby certifies that it has reasonable assurance, in good faith, that the transmitter site specified in Section V of its application as the location of its transmitting antenna will be available to it for its intended purpose.

Reasonable assurance was provided by Frederick H. Ingham, President of Asterisk Communications, Inc. Asterisk Communications, Inc. is the owner of tower on which Marion Community Radio, Inc. intends to locate its antenna system and associated electronic equipment. The telephone number for Asterisk Communications, Inc. is (305) 566-7559.

# *ENGINEERING REPORT*

**IN SUPPORT OF**

# APPLICATION FOR CONSTRUCTION PERMIT

**CHANNEL 215A**

# CRYSTAL RIVER, FLORIDA

# MARION COMMUNITY RADIO, INC.

**RUBIN BEDNAREK & ASSOCIATES, INC.**
*Consulting Telecommunications Engineers*
**WASHINGTON, DC**

| Section V-B - FM BROADCAST ENGINEERING DATA | FOR COMMISSION USE ONLY<br>File No. _____<br>ASB Referral Date _____<br>Referred by _____ |
|---|---|

Name of Applicant

MARION COMMUNITY RADIO, INC.

| Call letters *(if issued)* | Is this application being filed in response to a window? ☐ Yes ☒ No<br>If Yes, specify closing date: _____ |
|---|---|

Purpose of Application: *(check appropriate box(es))*

- ☒ Construct a new (main) facility
- ☐ Construct a new auxiliary facility
- ☐ Modify existing construction permit for main facility
- ☐ Modify existing construction permit for auxiliary facility
- ☐ Modify licensed main facility
- ☐ Modify licensed auxiliary facility

If purpose is to modify, indicate below the nature of change(s) and specify the file number(s) of the authorizations affected.

- ☐ Antenna supporting-structure height
- ☐ Effective radiated power
- ☐ Antenna height above average terrain
- ☐ Frequency
- ☐ Antenna location
- ☐ Class
- ☐ Main Studio location
- ☐ Other *(Summarize briefly)*

File Number(s) _____

1. Allocation:

| Channel No. | Principal community to be served: | | |
|---|---|---|---|
| | City | County | State |
| 215 | Crystal River | Citrus | FL |

Class *(check only one box below)*

☒ A ☐ B1 ☐ B ☐ C3
☐ C2 ☐ C1 ☐ C ☐ D

2. Exact location of antenna.

(a) Specify address, city, county and state. If no address, specify distance and bearing relative to the nearest town or landmark.
Approximately 0.5 kilometers east of the intersection of Routes 41 and 39, Citrus Springs, Citrus County, Florida.

(b) Geographical coordinates (to nearest second). If mounted on element of an AM array, specify coordinates of center of array. Otherwise, specify tower location. Specify South Latitude or East Longitude where applicable; otherwise, North Latitude or West Longitude will be presumed.

| Latitude | ° | ' | " | Longitude | ° | ' | " |
|---|---|---|---|---|---|---|---|
| | 29 | 01 | 52 | | 82 | 27 | 05 |

3. Is the supporting structure the same as that of another station(s) or proposed in another pending application(s)? ☒ Yes ☐ No

If Yes, give call letter(s) or file number(s) or both. WTRS(AM)

If proposal involves a change in height of an existing structure, specify existing height above ground level including antenna, all other appurtenances, and lighting, if any.

N/A

**SECTION V-B – FM BROADCAST ENGINEERING DATA (Page 2)**

4. Does the application propose to correct previous site coordinates? ☐ Yes ☒ No
If Yes, list old coordinates.

| Latitude ° ' " | Longitude ° ' " |
|---|---|

5. Has the FAA been notified of the proposed construction? ☐ Yes ☒ No
If Yes, give date and office where notice was filed and attach as an Exhibit a copy of FAA determination, if available. FAA Notification Not Required. Exhibit No.

Date _____ Office where filed _____

6. List all landing areas within 8 km of antenna site. Specify distance and bearing from structure to nearest point of the nearest runway.

| | Landing Area | Distance (km) | Bearing (degrees True) |
|---|---|---|---|
| (a) | Dunnelon | 8.0 | 65° |
| (b) | | | |

7. (a) Elevation: *(to the nearest meter)*

(1) of site above mean sea level; 32 meters

(2) of the top of supporting structure above ground (including antenna, all other appurtenances, and lighting, if any); and 92 meters

(3) of the top of supporting structure above mean sea level [(a)(1) + (a)(2)] 124 meters

(b) Height of radiation center: *(to the nearest meter)* H = Horizontal; V = Vertical

(1) above ground 88 meters (H)
88 meters (V)

(2) above mean sea level [(a)(1) + (b)(1)] 120 meters (H)
120 meters (V)

(3) above average terrain 101 meters (H)
101 meters (V)

8. Attach as an Exhibit sketch(es) of the supporting structure, labelling all elevations required in Question 7 above, except item 7(b)(3). If mounted on an AM directional-array element, specify heights and orientations of all array towers, as well as location of FM radiator. Exhibit No. I

9. Effective Radiated Power:
(a) ERP in the horizontal plane 3.0 kw (H#) 3.0 kw (V#)

(b) Is beam tilt proposed? ☐ Yes ☒ No

If Yes, specify maximum ERP in the plane of the tilted beam, and attach as an Exhibit a vertical elevational plot of radiated field. Exhibit No.
_____ kw (H#) _____ kw (V#)

#Polarization

## SECTION V-B – FM BROADCAST ENGINEERING DATA (Page 3)

10. Is a directional antenna proposed? ☐ Yes ☒ No

If Yes, attach as an Exhibit a statement with all data specified in 47 C.F.R. Section 73.316, including plot(s) and tabulations of horizontally and vertically polarized radiated components in terms of relative field. Exhibit No.

11. Will the main studio be located within the 70 dBu or 3.16 mV/m contour? ☒ Yes ☐ No

If No, attach as an Exhibit justification pursuant to 47 C.F.R. Section 73.1125. Exhibit No.

12. Are there: (a) within 60 meters of the proposed antenna, any proposed or authorized FM or TV transmitters, or any nonbroadcast *(except citizens band or amateur)* radio stations; or (b) within the blanketing contour, any established commercial or government receiving stations, cable head-end facilities, or populated areas; or (c) within ten (10) kilometers of the proposed antenna, any proposed or authorized FM or TV transmitters which may produce receiver-induced intermodulation interference? ☐ Yes ☒ No

If Yes, attach as an Exhibit a description of any expected, undesired effects of operations and remedial steps to be pursued if necessary, and a statement accepting full responsibility for the elimination of any objectionable interference (including that caused by receiver-induced or other types of modulation) to facilities in existence or authorized or to radio receivers in use prior to grant of this application. *(See 47 C.F.R. Sections 73.315(b), 73.316(d) and 73.318.)* See Engineering Statement. Exhibit No.

13. Attach as an Exhibit a 7.5 minute series U.S. Geological Survey topographic quadrangle map that shows clearly, legibly, and accurately, the location of the proposed transmitting antenna. This map must comply with the requirements set forth in Instruction D for Section V. Further, the map must clearly and legibly display the original printed contour lines and data as well as latitude and longitude markings, and must bear a scale of distance in kilometers. Exhibit No. III

14. Attach as an Exhibit *(name the source)* a map which shows clearly, legibly, and accurately, and with the original printed latitude and longitude markings and a scale of distance in kilometers: Exhibit No. IV

(a) the proposed transmitter location, and the radials along with profile graphs have been prepared;

(b) the 1 mV/m predicted contour and, for noncommercial educational applicants applying on a commercial channel, the 3.16 mV/m contour; and

(c) the legal boundaries of the principal community to be served.

15. Specify area in square kilometers (1 sq. mi. = 2.59 sq. km.) and population (latest census) within the predicted 1 mV/m contour.

Area 1,885 sq. km. Population 84,433

16. Attach as an Exhibit a map *(Sectional Aeronautical charts where obtainable)* showing the present and proposed 1 mV/m (60 dbu) contours. N/A Exhibit No.

Enter the following from Exhibit above: Gain Area _____ sq. mi.
Loss Area _____ sq. mi.

Percent change (gain area plus loss area as percentage of present area) _____ %.
If 50% or more this constitutes a major change. Indicate in question 2(c), Section I, accordingly.

17. For an application involving an auxiliary facility only, attach as an Exhibit a map *(Sectional Aeronautical Chart or equivalent)* that shows clearly, legibly, and accurately, and with latitude and longitude markings and a scale of distance in kilometers: N/A

Exhibit No.

(a) the proposed auxiliary 1 mV/m contour; and

(b) the 1 mV/m contour of the licensed main facility for which the applied-for facility will be auxiliary. Also specify the file number of the license. See 47 C.F.R. Section 73.1675. (File No.: _____)

18. Terrain and coverage data *(to be calculated in accordance with 47 C.F.R. Section 73.313).*

Source of terrain data: *(check only one box below)*

☒ Linearly interpolated 30-second database ☐ 7.5 minute topographic map

(Source: NGDC)

☐ Other *(briefly summarize)*

| Radial bearing (degrees True) | Height of radiation center above average elevation of radial from 3 to 16 km (meters) | Predicted Distances to the 1 mV/m contour (kilometers) |
|---|---|---|
| 0 | 97.4 | 24.1 |
| 45 | 102.2 | 24.6 |
| 90 | 106.7 | 25.1 |
| 135 | 105.3 | 25.0 |
| 180 | 94.3 | 23.8 |
| 225 | 93.7 | 23.7 |
| 270 | 108.3 | 25.3 |
| 315 | 102.1 | 24.6 |

**Allocation Studies**

*(See Subpart C of 47 C.F.R. Part 73)*

19. Is the proposed antenna location within 320 kilometers (199 miles) of the common border between the United States and Mexico? ☐ Yes ☒ No

If Yes, attach as an Exhibit a showing of compliance with all provisions of the Agreement between the United States of America and the United Mexican States concerning Frequency Modulation Broadcasting in the 88 to 108 MHz band.

Exhibit No.

20. Is the proposed antenna location within 320 kilometers of the common border between the United States and Canada? ☐ Yes ☒ No

If Yes, attach as an Exhibit a showing of compliance with all provisions of the Working Agreement for Allocation of FM Broadcasting Stations on Channels 201-300 under The Canada-United States FM Agreement of 1947. Exhibit No.

21. If the proposed operation is for a channel in the range from channel 201 through 220 (88.1 through 91.9 MHz), or if this proposed operation is for a class D station in the range from Channel 221 through 300 (92.1 through 107.9 MHz), attach as an Exhibit a complete allocation study to establish the lack of prohibited overlap of contours with other U.S. stations. The allocation study should include the following: See Engineering Statement Exhibit No. V

(a) The normally protected interference-free and the interfering contours for the proposed operation along all azimuths.
(b) Complete normally protected interference-free contours of all other proposals and existing stations to which objectionable interference would be caused.
(c) Interfering contours over pertinent arcs of all other proposals and existing stations from which objectionable interference would be received.
(d) Normally protected and interfering contours over pertinent arcs, of all other proposals and existing stations, which require study to show the absence of objectionable interference.
(e) Plot of the transmitter location of each station or proposal requiring investigation, with identifying call letters, file numbers and operating or proposed facilities.
(f) When necessary to show more detail, an additional allocation study will be attached utilizing a map with a larger scale to clearly show interference or absence thereof.
(g) A scale of kilometers and properly labeled longitude and latitude lines, shown across the entire Exhibit(s). Sufficient lines should be shown so that the location of the sites may be verified.
(h) The name of the map(s) used in the Exhibit(s).

22. With regard to any stations separated by 53 or 54 channels (10.6 or 10.8 MHz) attach as an Exhibit information required in 1/ *(separation requirements involving intermediate frequency (i.f.) interference)*. Exhibit No. V (h)

See Engineering Statement

23.(a) Is the proposed operation on Channel 218, 219, or 220? ☐ Yes ☒ No

(b) If the answer to (a) is yes, does the proposed operation satisfy the requirements of 47 C.F.R. Section 73.207? N/A ☐ Yes ☐ No

(c) If the answer to (b) is yes, attach as an Exhibit information required in 1/ regarding separation requirements with respect to stations on Channels 221, 222 and 223. N/A Exhibit No.

(d) If the answer to (b) is no, attach as an Exhibit a statement describing the short spacing(s) and how it or they arose. N/A Exhibit No.

1/ A showing that the proposed operation meets the minimum distance separation requirements. Include existing stations, proposed stations, and cities which appear in the Table of Allotments; the location and geographic coordinates of each antenna, proposed antenna or reference point, as appropriate; and distance to each from proposed antenna location.

## SECTION V-B – FM BROADCAST ENGINEERING DATA (Page 8)

(e) If authorization pursuant to 47 C.F.R. Section 73.215 is requested, attach as an Exhibit a complete engineering study to establish the lack of prohibited overlap of contours involving affected stations. The engineering study must include the following: N/A

Exhibit No.

(1) Protected and interfering contours, in all directions (360 ), for the proposed operation.
(2) Protected and interfering contours, over pertinent arcs, of all short-spaced assignments, applications and allotments, including a plot showing each transmitter location, with identifying call letters or file numbers, and indication of whether facility is operating or proposed. For vacant allotments, use the reference coordinates as transmitter location.
(3) When necessary to show more detail, an additional allocation study utilizing a map with a larger scale to clearly show prohibited overlap will not occur.
(4) A scale of kilometers and properly labeled longitude and latitude lines, shown across the entire exhibit(s). Sufficient lines should be shown so that the location of the sites may be verified.
(5) The official title(s) of the map(s) used in the exhibits(s).

24. Is the proposed station for a channel in the range from Channel 201 to 220 (88.1 through 91.9 MHz) and the proposed antenna location within the distance to an affected TV Channel 6 station(s) as defined in 47 C.F.R. Section 73.525?

[X] Yes [ ] No

If Yes, attach as an Exhibit either a TV Channel 6 agreement letter dated and signed by both parties or a map and an engineering statement with calculations demonstrating compliance with 47 C.F.R. Section 73.525 for each affected TV Channel 6 station. See Engineering Statement.

Exhibit No. VI

25. Is the proposed station for a channel in the range from Channel 221 to 300 (92.1-107.9 MHz)?

[ ] Yes [X] No

If Yes, attach as an Exhibit information required in 1/. *(Except for Class B (secondary) proposals.)*

Exhibit No.

26. Environmental Statement *(See 47 C.F.R. Section 1.1301 et seq.)*

Would a Commission grant of this application come within Section 1.1307 of the FCC Rules, such that it may have a significant environmental impact?

[ ] Yes [X] No

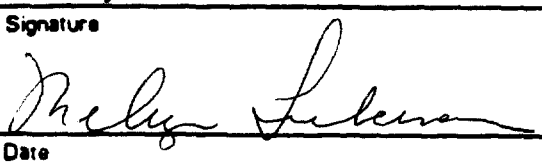
If you answer Yes, submit as an Exhibit an Environmental Assessment required by Section 1.1311.

Exhibit No.

If No, explain briefly why not. See Engineering Statement.

### CERTIFICATION

I certify that I have prepared this Section of this application on behalf of the applicant, and that after such preparation, I have examined the foregoing and found it to be accurate and true to the best of my knowledge and belief.

| Name *(Typed or Printed)* | Relationship to Applicant *(e.g., Consulting Engineer)* |
|---|---|
| Melvyn Lieberman | Consulting Engineer |
| Signature  | Address *(Include ZIP Code)* Rubin, Bednarek & Associates, Inc. 1350 Connecticut Avenue, NW - Suite 610 Washington, DC 20036 |
| Date April 8, 1993 | Telephone No. *(Include Area Code)* ( 202 ) 296-9380 |

RUBIN, BEDNAREK & ASSOCIATES, INC.
CONSULTING TELECOMMUNICATIONS ENGINEERS
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WASHINGTON, DC 20036

Crystal River, Florida

# ENGINEERING STATEMENT

## I ABSTRACT

This engineering exhibit supports the application of MARION COMMUNITY RADIO, INC. to construct a new class A educational FM station operating on channel 215 serving Crystal River, Florida. The instant proposed facility would operate with an effective radiate power of 3.0 kilowatts at an antenna height of 101 meters above average terrain.

This engineering report complies in all respects with all pertinent sections of the FCC rules. All paragraphs answered fully on the attached Section V-B FCC Form 301 will not be repeated in the body of this engineering report

## II RESPONSE TO FCC FORM 301

Paragraph 8:

Exhibit I is a vertical plan sketch of the proposed antenna system.

Paragraph 12:

The proposed channel 215, FM antenna will be side mounted on the existing WTRS(AM) tower. As listed in exhibit II, WTRS(AM) is a class III, daytime only AM facility operating on a frequency of 920 kilohertz and is licensed to operate non-directionally from a single tower. Applicant will provide an appropriate decoupling network to isolate the FM antenna from the AM radiator.

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## II RESPONSE TO FCC FORM 301 (continued)

Paragraph 12 (cont'd):

The distance to the proposed 115 dBu contour, as calculated in accordance with Section §73.318 of the rules, is 0.68 kilometers. There are no known commercial, government receiving stations, cable head-end facilities within 0.68 kilometers of the proposed site. The area within the blanketing contour is populated. In the unlikely event objectionable interference is experienced, the applicant will, in accordance with Section §73.318 of the rules, apply all remedies necessary to satisfactorily resolve any complaints.

There are no FM or television broadcast transmitter sites located within 10 kilometers of the proposed site. Applicant accepts full responsibility, as required in FCC Form 340, for the elimination of any objectionable interference in the event such interference is experienced.

Paragraph 13:

Exhibit III is a 1:1 scale copy of the original 7.5' U.S.G.S survey map and is furnished herewith to satisfy the requirements of this paragraph. The required latitude and longitude information as well as a scale of distance in kilometers is clearly shown.

Paragraph 15:

The land area within the 1.0 mV/m contour was determined using a computer program which calculates the distances to the contour in 1 degree increments for 360° and integrates these measurements into the calculation of total area.

The population total within the 1.0 mV/m contour was computed using software that makes use of the official 1990 U.S. Bureau of Census data (post 7/15/91).

This data is available in a data base as census "blocks" which are the smallest census entity having an average population per block of less than 50 persons. Associated with each census block is a set of reference coordinates as determined by the Census Bureau which is referred to as the "centroid". Where the "centroid" of a census block lies within the predicted 1 mV/m contour, the entire census block is included in the population total. Conversely, where the "centroid" is outside the contour, the entire census

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## II RESPONSE TO FCC FORM 301 (continued)

Paragraph 15 (cont'd):
block is not included in the population total. Over large contours the cumulative error of this method of population counting approaches zero.

Paragraph 18:

The radials and predicted contours required by this paragraph are shown as Exhibit IV and were predicted in accordance with Section §73.313 of the rules using a computer program that accesses a data base containing the pertinent FCC curves.

Paragraph 21:

Operation of the proposed channel 215A facility would not result in any prohibited contour overlap to other FM stations as defined in Section §73.509 of the rules. Exhibits V(a) and V(b) depict the protected and interfering contours of the proposed channel 215A facility and other FM stations included in the analysis. Exhibits V(c) through V(g) are tabulations of distances to the protected and interfering contours calculated in accordance with the methodology contained in Section §73.509(c) of the rules for the pertinent stations. As shown in exhibits V(a) and V(b), there would be no prohibited overlap of the protected and interference contours of the proposed channel 215A facility with those of any other existing or proposed FM station(s).

Paragraph 22:

As listed in the attached Exhibit V(h), the proposed facility satisfies the minimum spacing requirement as contained in Section 73.507(c)(1) of the rules to stations separated by 53 or 54 channels.

Paragraph 24:

Operation of the proposed channel 215A facility would not cause interference to any channel 6 television station. As listed in exhibit VI(a), WCPX(TV) is the only channel 6 television station located within 180 kilometers of the proposed transmitter site. Exhibit VI(b) lists the protected WCPX(TV) contour and the interfering channel 215 contours. The channel 215 contours were determined in accordance with the criteria contained in Section §73.525(c) of the rules. Exhibit VI(c) is map depicting the protected WCPX(TV) 47 dBu, F(50,50) contour and the channel 215, 70 dBu, F(50,10)

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## II RESPONSE TO FCC FORM 301 (continued)

Paragraph 24 (cont'd):
interference contour. While the 47 dBu WCPX(TV) contour and a 74 dBu proposed channel 215 F(50,10) contour would be adequate to show clearance, these two contours were chosen in order to represent the smallest WCPX(TV) signal level which must be protected by the proposed facility and the smallest channel 215 signal level which could cause interference to any of the WCPX(TV) service contours. Exhibit VI(d) and VI(e) are tabulation of the distance to the WCPX(TV) 47 dBu contour and the 70 dBu contour of the instant proposed facility, respectively. As shown in exhibit VI(c), the proposed facility would cause no interference to the existing WCPX(TV) facility.

Paragraph 26:

The proposed construction will have no significant impact on the quality of the human environment and any FCC action with regard to this application would be categorically exempt from environmental processing under Section §1.1306 of the rules. The proposed FM antenna will be side mounted on the existing WTRS(AM) tower, therefore, the criteria contained in Section 1.1307(a) of the rules does not apply.

Calculations performed using the procedures found in OST Bulletin #65 ANSI guidelines show that the theoretical "worst case" radio frequency radiation produced by the proposed channel 215 facility would not exceed the limits of the radio frequency protection guidelines contained in the ANSI C95.1-1982 standard (American National Standard Safety Levels With Respect to Human Exposure to Radio Frequency Electromagnetic Fields, 300 kHz to 100 GHz). The following equation was extracted from OST Bulletin #65 and was used to determine radiation levels at 2 meters above the ground :

$$S = \frac{(2.56)(1.64)(2)(ERP\,watts)(F^2)(1000mW/watt)}{4\pi(R-200)^2}$$

where: $S$ = power density ($mW/cm^2$)
$F$ = relative field factor in downward direction
$R$ = distance to the center of radiation ($cm$)

Crystal River, Florida

## II RESPONSE TO FCC FORM 301 (continued)

Substituting the appropriate values into the above equations gives the following result :

$$S = \frac{(2.56)(1.64)(2)(3000 watts)(1)(1000 mW / watt)}{4\pi(8750-200)^2}$$

$$S_{2mAGL} = \mathbf{0.0274\,mW/cm^2}$$

The maximum allowable radio frequency radiation at frequencies between 30 and 300 MHz is 1mW/cm² according to the radio frequency protection guidelines contained in the ANSI C95.1-1982 standard (American National Standard Safety Levels With Respect to Human Exposure to Radio Frequency Electromagnetic Fields, 300 kHz to 100 GHz).

According to OST bulletin #65, for a one tower AM facility operating with 0.5 kilowatts of power, such as WTRS(AM), the minimum "worst case" distance from the tower in which ANSI radiation limits may be exceeded is less than 2 meters. The applicant shall cooperate with the licensee of WTRS(AM) to restrict access of the tower to the general public by altering any existing fencing , if necessary, and/or warning posters at least 2 meters from the base of the tower. Further, the applicant shall cooperate with the licensee of WTRS(AM) to take all necessary steps, including temporary cessation of operation, to ensure that during periods of maintenance workers are not exposed to excess levels of radiation.

## III STATEMENT WITH RESPECT TO EMERGENCY POWER

This application proposes the installation and maintenance of auxiliary power at the transmitter and studio location. The instant proposed equipment will be of sufficient capacity to power the transmitter and studio in the event of a power failure at one or both locations.